A. I was in the coroner's office at the time on the second floor when the call came in. And it was late afternoon. And I don't remember if I had already been to a scene that day or if I just done -- or how many autopsies I'd done, but I remember being tired.

And knowing that there was a big storm coming that evening, actually around this time, and Nancy Woolum, who was the investigator who was in the office at the time, and usually if it was during the daytime and there was a scene, I would usually go to them. But for whatever reasons I don't remember, I said I don't feel like going. So Nancy just went by herself. And I was working the rest of the evening on previous cases from that day and the day before.

Q. All right. Then the affidavit says, "I took only one photograph of Mr. Melton because I had only one exposure remaining in the roll of film." That's accurate I suppose?

A. Yes.

Q. Now, do you remember about what time in the evening it was when you took the photograph?

A. Maybe 6:30, 7:00.

A. Correct.

Q. That you just described.

A. Yeah.

Q. Can you tell us how -- what you know to be the situation as to how that stayed there. You took it over?

A. Well, I took the negative over to his studio. I made the print. And in the process of making the prints, because I've seen some of the evidence that some of it involves just to determine the exposure of the prints, so that's why there are stripes on some of those photographs that you guys have.

Q. When you say "you guys," who is "you guys"?

A. Plaintiffs' attorneys and County attorneys.

Q. You mean evidence that was developed in the case. Okay. Go ahead.

A. So there were test strips that I used to determine exposure of the print. Then I developed, I'm not sure how many prints, maybe one, maybe two, maybe three, I don't remember. Then all of the same negative. And they went through the process of developing.

And then Mr. Condon had a special -- because the paper it was printed on was a special kind of paper called, I think he called it fiber-based paper, which is like this kind of paper (indicating), and as opposed to what you normally see with the stuff you get from the photo shop.

And it required an extra step of processing called toning. It's to keep the image stable. That's what I understood. And he usually said he did that in batches. And would put mine through on the next batch he did.

Q. And then apparently he still had that when the police did their search. Is that the rest of your knowledge on how the photo of the one photo that you took of Mr. Melton was in Condon's possession?

A. Yeah, because I don't believe it went through that process yet, the toning process.

MR. PATSFALL: I'm sorry. I didn't hear you.

THE WITNESS: It hadn't gone through the toning process yet.

MR. PATSFALL: Had not?

THE WITNESS: Yeah. I don't think so.
Q. When the --
A. Police came.
Q. Police came. Okay. Was it your intention after the toning was done by Mr. Condon that this would be returned to you so that you would have it for your uses?
A. Yes. My intention was to take one photograph and put it in the coroner's office files and keep one for myself.
Q. Why did you want to keep one for yourself?
A. For my own teaching file.
Q. With reference to the photo then that you took of Mr. Melton, you took one photo. Correct?
A. Correct.
Q. You've seen the other photos of Mr. Melton during the prosecution and so on, haven't you?
A. I glanced at them, but I haven't looked at them closely.
Q. Well, is it, to your knowledge, if you can answer this, was it Nancy?
A. Yeah.
Q. That went out to the scene?
A. Yes.

A. I remember it being sometime after I -- significantly after I took the photo. So it would be December sometime.

Q. All right. And you didn't see Mr. Condon around the morgue on the 9th of November when you took the photo. Correct?

A. Correct.

Q. If he was around, you believe you would have seen him?

A. I'm not -- day, I believe I would have, yes.

Q. You were there most of the day. Correct?

A. I was there, yes.

Q. And you and he were good friends?

A. We were good friends.

Q. And on the next day, the 10th, when you came to work was the -- do you remember what time that was?

A. I don't remember. It was morning. I don't remember exact time.

Q. 8:00 to 9:00 usual?

A. Yes. Probably.

Q. Was Dr. Pfalzgraf already conducting the autopsy of Mr. Melton when you arrived?

A. Yeah. Dr. Pfalzgraf saw him take photographs.

MR. KERN: That's all the questions I have.

MR. BARBIERE: I have some questions.

(Break taken.)

CROSS-EXAMINATION

BY MR. BARBIERE:

Q. Jonathan, good afternoon. I'm Larry Barbiere; I represent Dr. Parrott. If I ask you a question which you don't understand please stop me and ask me to repeat myself. I want to be certain you understand each question before you answer. Agreed?

A. Yeah.

Q. The fellowship that you were given with the Coroner's Office, did that have a specific time?

A. One year.

Q. So it started July 1?

A. Yes.

Q. So it was going to go July 1, 2000 to June 30th, 2001?

A. Correct.

Q. And you were paid during that period of time?

A. No. I was paid up through my indictment.

Q. Okay. But, I mean, the award of the fellowship included that you would be paid as part of the fellowship?

A. Correct.

Q. Okay. Did you have some kind of written protocol of the things you were going to be doing during the fellowship?

A. There was a written, I think one or two page piece of paper that described the fellowship and the duties and responsibilities.

Q. And who was it that produced that piece of paper?

A. That was given to me by -- actually when I first started it was just given to me in the packet of stuff. It might even be part of the official morgue policy manual.

Q. That's something that was given to you by the Coroner's Office?

A. Correct.

Q. When you were doing your program you were supervised by Dr. Pfalzgraf, right?

A. Yes.
Q. Was he pretty much in charge of the fellowship program, as far as you were concerned?
A. My understanding was he was the head of the fellowship program.
Q. You were also supervised by Dr. Utz?
A. Correct.
Q. Dr. Schultz?
A. Correct.
Q. And Dr. Parrott?
A. Correct.
Q. Anybody else?
A. In the -- well, those would be my supervisors.
Q. Did you consider all of those people your supervisors?
A. Yes.
Q. Did you consider all those people your bosses?
A. Yes.
Q. And each of those people, as far as you were concerned, had the authority to tell you what to do or what not to do?

A. Correct.
Q. If I understand your testimony correctly when you first started as a fellow you assisted on autopsies; is that right?
A. I -- correct, yes.
Q. You would watch -- I'm sure at first most of what you did was to watch one of the other pathologists do an autopsy, right?
A. Correct.
Q. Is that right?
A. Yes.
Q. And then I guess as time went by you started assisting more and more; is that correct?
A. As -- it was pretty rapid. I started doing autopsies within a week or two.
Q. Within a week or two you were doing an autopsy under the watchful eye of one of the other pathologists?
A. Correct.
Q. At some point in time there came a time when you were doing autopsies pretty much by yourself; is that correct?
A. Correct.
Q. But when that happened there was

always another autopsy, if not in the building at least on call?

A. Another pathologist?

Q. I'm sorry, yeah, another pathologist?

A. Yes.

Q. And if I understand your testimony correctly the vast majority of the time that you would be doing an autopsy by yourself there would be another pathologist in the building, right?

A. Correct.

Q. Did you believe, during the period of time that you were a fellow up, say, until January 1st, that you were being supervised well?

A. Yes.

Q. Did you enjoy the job?

A. Yes.

Q. And you liked working with the other pathologists?

A. Yes.

Q. Who did most of the autopsies?

A. What do you mean?

Q. Did any particular pathologist

January 1st?
A. On average and during the week I would be there maybe 50 hours. And then if I was on call on the weekends I would be there on the weekend and if I was on call I was on call, I think, once a week in the evenings at night. And sometimes there would be stuff going on, sometimes not.
Q. So you were there at least five out of the seven days of the week and sometimes more; would that be fair?
A. Yeah.
Q. How often on a weekly basis would you estimate that you saw Dr. Parrott during that time frame, July 1 to January 1?
A. On a weekly basis, maybe three or four times.
Q. Did your interaction with Dr. Parrott on those three or four occasions involve mostly just saying, hi, how you doing?
A. I'm saying three or four times a week.
Q. That's what I meant.
A. Yeah.
Q. Did Dr. Parrott, in a meaningful